

### **Remark**

Applicants respectfully request reconsideration of this application as amended. Claims 1, 8, 14, 18, 25 and 26 have been amended. Claims 7, 17 and 21-24 have been canceled. Therefore, claims 1-6, 8-16, 18-20 and 25-26 are now presented for examination.

The Decision on Appeal from the Patent Trial and Appeal Board (hereinafter Board) relies on a holding that the claimed features relied upon by Appellant are in the form of non-functional descriptive material. In the present amendment, Applicants endeavor to rewrite the claims to render these features functional.

The Board states that these features do not change or alter "the machine or computer so as to impart functionality." The Board also states that the "selection" is a mental process. As to the first point, Applicants have added a specific recitation of functions that the server system performs in response to receiving the "selection." The claims therefore recite specific functionality by the server system in response to receiving the selection.

As to the second point, the present specification uses "selection" to refer to something that is sent from the client system to the server system. "The selection is sent to server system 140 over communications media 120." "Processing server 310 receives a selection from client system 110." "The selection is sent to server system 140 over communications media 120." As a result in the specification, the word refers not only to a mental process by the viewer but also to an object that is sent from one device to another. While it may be more clear to recite "selection packet" or "selection token" or the like, this is not explicitly supported by the specification. In order to distinguish the

claimed "selection" from a mental process of selecting, the claims are amended to recite some of the data that is included in the selection. The claims also recite how this data is then used in the operations of the other components.

Applicants have in these amendments endeavored to render the limitations functional. However should the Examiner not agree, Applicants would like to discuss further amendments with the Examiner which may be able to overcome the rejections.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

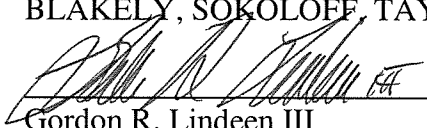
Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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